

November 20, 2006

Sent to

DOCKET FILE COPY ORIGINAL

Robert Beck
Education Consortium
790 Newtown-Yardley Road, Suite 410
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Decision on Appeal for Explore Knowledge Academy Charter School (NV)
4801 south Sandhill Road
Las Vegas, NV 89121
BEN 16034677

Appealing the reduction in the shared discount rate for Form 471 # 521433

This is a timely appeal regarding the shared discount rate for Form 471 #521433 – reduced from 50% to 20%. We request that this decision be reversed and that the application be funded at the original 50% rate.

In the subsequent USAC Administrator Denial on Appeal, this reason was amended to state that the school used an alternate discount mechanism (survey) that did not include a line item for a student's grade.

2000

Note: we did not address the “missing grade level line item” in the original appeal because that reason was not stated, and so we are responding to this new information.

I am authorized by the school district to submit this appeal, and am the contact person on the original application.

Explanation

The FCC Rule cited in the Denial on Appeal letter is 47 C.F.R. 54.505(b):

“For schools and school districts, the level of poverty is measured by the percentage of students enrolled in a school or school district who are eligible for a free or reduced price lunch under the National School Lunch Program, or federally-approved alternate mechanism.”

Explore Knowledge Academy is a public charter school in Nevada associated with the Clark County School District. It does not provide lunch for its students, thus there are no free and reduced (F/R) lunch statistics that are regularly reported to the Nevada Department of Education.

The school does, however, conduct an annual family income survey to establish the ‘At Risk’ status of the school, using F/R lunch statistics in accordance with the National School Lunch Program standards. This economic measure satisfies the requirements of the Nevada Department of Education. There was a 100% return rate for this survey for students and families in the school, and includes all indicators cited in the ‘alternate mechanism’ cited on the USAC web site except the grade level of each student. We provided the PIA Reviewer and the Appeal Administrator a copy of this survey and the certified results (attached), attested to by the school’s authorized person.

We maintain that the documentation we provided expressly establishes the ‘level of poverty’ for Explore Knowledge Academy Charter School, satisfying the requirement of the FCC Rule cited above. The addition of a grade level requirement for each student on the survey form goes beyond the scope of the FCC rule and thus unfairly denied the school funding. Also, other schools have been approved for their proper e-rate funding levels on the basis of this particular charter school survey, and thus it constitutes unequal treatment to deny Explore Knowledge Academy Charter School.

Note: the school does maintain a record of student grade levels should the need would ever arise to check these data.

Conclusions

We respectfully request that the Denial on Appeal be reversed and that Explore Knowledge Academy Charter School be funded at the 50% level for FY 2006-2007 for the following reasons:

- This is a public school that serves all grades: K-12

- The school conducts an annual student family income survey, with a 100% return for this year, and the results are attested to by the school administrator and filed with the state's Charter School office. This complies with the intent of the FCC Rule cited above.
- In the Denial on Appeal, USAC did not dispute the results of the survey as certified by the school administrator. They disputed the fact that a line item for student grade was not on the survey form.
- As a public school, this survey satisfies the requirements of the Nevada Department of Education to establish the level of poverty of the school using the standard USDA guidelines for family income.
- The fact that a grade level for each student is not listed on the survey form in no way impacts the determination of the 'poverty level' of the school, and we believe that USAC has gone beyond the requirement of the FCC Rule (cited above) in using that particular criterion to deny the proper discount rate for Explore Knowledge Academy Charter School.
- Since this was also an absolute count of students qualifying for F/R lunch (i.e., no extrapolation was even needed), the school would still have a 50% discount rate.

The amount of funding lost is approximately \$7,056.00 (between a 20% and 50% discount rate). This adversely affects this growing school, and since it is within the spirit and intent of the E-rate program to fund a school to the maximum entitled extent, we are requesting that this funding percentage reduction be reversed and approved for funding at 50% for this Form 471.

Thank you for your consideration.

Robert Beck
 Education Consortium
 E-Rate Contact for Explore Knowledge Academy Charter School
 Certified Mail – Return Receipt # 7006 0100 0006 9329 8991

Robert Beck

Authorized person information

Joan Sando – Executive Director – 702-730-2933

Attachments: USAC Administrator's Denial of Appeal Letter dated September 27, 2006
 USAC Appeal Letter dated May 23, 2006
 Form 471 (pp. 1-2)
 FCDL copy (pp. 1, 5-7)
 NSLP survey request (See Item 4) and response information provided to PIA reviewer



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2006-2007

September 27, 2006

Robert Beck
Educational Consortium for Telecommunications Savings
133 North State Street
Newtown, PA 18940

Re: Applicant Name: EXPLORE KNOWLEDGE ACADEMY
Billed Entity Number: 16034677
Form 471 Application Number: 521433
Funding Request Number(s): 1435709, 1435722, 1435735, 1435754, 1435771
Your Correspondence Dated: May 23, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2006 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1435709, 1435722, 1435735, 1435754, 1435771
Decision on Appeal: **Denied**
Explanation:

- After a thorough review of your appeal letter and with the documentation submitted during your Form 471 review process, USAC determined that Explore Knowledge Academy (BEN 16034677) percentage discount should be 20%. As indicated in the documentation, Explore Knowledge Academy used a federally-approved alternative mechanism to determine the level of poverty. The Schools and Libraries support mechanism requires that, if a school chooses to do a survey, the survey must contain the following information: grade level of each child. Since the survey that the school provided did not meet these survey guidelines, the survey cannot be accepted as valid documentation to support the requested discount. Please visit USAC's Alternative Discount Mechanisms Fact Sheet at <http://www.sl.usac.org/reference/alt.asp>.

- FCC Rules provide that the discount available to an applicant is determined by indicators of poverty and high cost. 47 C.F.R. sec. 54.505(b). The level of poverty is measured by the percentage of students enrolled in a school or school district who are eligible for a free or reduced price lunch under the National School Lunch Program, or a federally-approved alternative mechanism. Alternatively, the level of poverty is measured according to participation in Medicaid, Food Stamps, Supplementary Security Income (SSI), Federal Public Housing Assistance or Section 8, or Low Income Home Energy Assistance Program (LIHEAP). See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9045, FCC 97-157 para. 510 n. 1334 (rel. May 8, 1997). The high cost determination is made pursuant to FCC Rules that classify a school or library as rural or urban. 47 C.F.R. sec. 54.505(b)(3). An applicant's discount rate is determined by reference to a matrix based upon the level of poverty and whether the entity is classified as rural or urban. 47 C.F.R. sec. 54.505(c).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Joan Sando



Educational Consortium for
Telecommunications Savings

May 23, 2006

Appeal of FCDL dated May 16, 2006

Sent to

Schools & Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Contact Information

Robert Beck
Education Consortium
133 North State Street
Newtown, PA 18940
267-352-0137 (voice)
215-504-5047 (fax)
robertbeck@e-rate-ects.org

Basis for Appeal

FCDL for Explore Knowledge Academy Charter School (NV)
4801 South Sandhill Road
Las Vegas, NV 89121
BEN 16033606

Funding Year 2006-2007
471 Application Number 521433

Appealing the reduction in the shared discount rate

Request

This is a timely appeal regarding the shared discount rate for Form 471 #521433 – reduced from 50% to 20%. We request that this decision be reversed and that the application be funded at the original 50% rate.

The reason given in the FCDL for reducing the shared discount rate is as follows: “The site-specific discount was reduced to a level that could be validated based on third party data.”

I am authorized by the school district to submit this appeal, and am the contact person on the original application.

Explanation

This charter school is a public school entity in Nevada, but the PIA reviewer could not find the NSLP statistics and asked for verification of the school's discount rate. In his correspondence, he suggested the standard survey method as an option, and we provided this information to him in a timely manner (see copy, attached). After he received that survey information, the reviewer asked no further questions to suggest that this information was inadequate for your purposes.

We are e-rate consultants for three (3) charter schools in Nevada, and your same reviewer reviewed all three applications. He requested the same NSLP information for all three schools, and we provided it to him in the same format in a timely manner. For one of the schools, the discount rate was approved as submitted, but for the other two, they were reduced to 20% for the reason given above.

Conclusion

Our request for reversal of the funding rate reduction should be approved for three reasons:

1. We provided adequate verification for the discount rate request, in your requested format, in a timely manner.
2. Your reviewers were inconsistent in accepting the information in the same format for one charter school and rejecting it for two others.
3. If there was a concern, we were not asked to confirm our F/R statistics. Since other applicants were given the opportunity to provide substantiation, and we were not, this is unfair treatment requiring redress.

The 30% shared discount rate reduction would cost the district about \$7,056.00 in e-rate funding, which will have a detrimental impact on the district and its students. It is within the spirit and intent of the E-rate program to fund expenses at the verified rate, and we are requesting that this funding rate reduction be reversed and approved for full funding for this application.

Thank you for your consideration.

Robert Beck
Education Consortium
E-Rate Contact for Odyssey Charter School
Certified Mail – Return Receipt # 7005 1820 0005 2451 6510

Authorized person information

Joan Sando – Executive Director – 702-730-2933

Attachments: FCDL copy (pp. 1, 5-7)
Form 471 (pp. 1-2)
NSLP survey request and response information provided to PIA reviewer

Robert Beck

FCC Form 471	Do not write in this area.	Appro
Schools and Libraries Universal Service Description of Services Ordered and Certification Form 471 Estimated Average Burden Hours per Response: 4 hours		
<small>This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them. The Fund Administrator can set aside sufficient support to reimburse providers for services. Please read instructions before beginning this application. (You can also file online at www.sl.universalservice.org.) The instructions include information on the deadlines for filing this application.</small>		
Applicant's Form Identifier (Create your own code to identify THIS form 471)		Form 471 Application# (To be assigned by administrator)
9EXPLORE KNOWLEDGE ACA RB		521433
Block 1: Billed Entity Information (The "Billed Entity" is the entity paying the bills for the service listed on this form.)		
1 a	Name of Billed Entity EXPLORE KNOWLEDGE ACADEMY	
2 a	Funding Year: July 1, 2006 Through June 30: 2007 Billed Entity Number: 16034677	
4 a	Street Address, P.O. Box, or Routing Number 4795 SOUTH SANDHILL ROAD	
	City LAS VEGAS	
	State NV Zip Code 81921	
5 a	Type of Application <input type="checkbox"/> Individual School (individual public or non-public school) <input checked="" type="checkbox"/> School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools) <input type="checkbox"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA) <input type="checkbox"/> Consortium <input type="checkbox"/> Check here if any members of this consortium are ineligible or non-governmental entities	
6	Contact Person's Name ROBERT BECK	
First, if the Contact Person's Street Address is the same as in Item 4, check this box. <input checked="" type="checkbox"/> If not, please complete the entries for the Street Address.		
b	Street Address, P.O. Box, or Routing Number 133 N STATE STREET	
	City NEWTOWN	
	State PA Zip Code 18940	

Page 1 of 7



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FCC Form 471 - N

Entity Number	16034677	Applicant's Form Identifier	9EXPLORE KNOWLEDGE ACA RB
Contact Person	ROBERT BECK	Phone Number	267-352-0137
<small>This information will facilitate the processing of your applications. Please complete all rows that apply to services for which you are requesting discount information on the FIRST Form 471 you file, to encompass this and all other Forms 471 you will file for this funding year. You need not complete this information on subsequent Forms 471. Provide your best estimates for the services ordered across ALL of your Forms 471. Schools/school districts complete Item 7. Libraries complete Item 8. Consortia complete Item 7 and/or Item 8.</small>			
Block 2: Impact of Services Ordered on Schools			

IF THIS APPLICATION INCLUDES SCHOOLS...		BEFORE ORDER
7a	Number of students to be served	
b	Telephone service: Number of classrooms with phone service	1
d	Direct broadband services: Number of buildings served at the following speeds: Between 10 mbps and 200 mbps	3
e	Direct connections to the Internet: Number of drops	330
f	Number of classrooms with Internet access	23
g	Number of computers or other devices with Internet access	120

Block 3: Impact of Services Ordered on Libraries

NOT APPLICABLE AS THIS APPLICATION IS FOR DISTRICT

Worksheet A No: 784493

Student Count: 513

Weighted Product (Sum. Column 8): 256.5

Shared Discount: 5

1. School Name: EKA DISTRICT OFFICE

2. Entity Number: 16034807 NCES:

3. Rural/Urban: Urban

4. Student Count: 0

5. NSLP Students: 0

6. NSLP Students/Students:

7. Discount: 50%

8. Weighted Product: 0

9. Pre-K/Adult Ed/Juv: N

10. Alt Disc Mech: N

1. School Name: EKA ELEMENTARY SCHOOL

2. Entity Number: 16034808 NCES:

3. Rural/Urban: Urban

4. Student Count: 242

5. NSLP Students: 76

6. NSLP Students/Students: 31.404%

7. Discount: 50%

8. Weighted Product: 121

9. Pre-K/Adult Ed/Juv: N

10. Alt Disc Mech: N

1. School Name: EKA SECONDARY SCHOOL

2. Entity Number: 16034809 NCES:

3. Rural/Urban: Urban

4. Student Count: 271

5. NSLP Students: 80

6. NSLP Students/Students: 29.520%

7. Discount: 50%

8. Weighted Product: 135.5

9. Pre-K/Adult Ed/Juv: N

10. Alt Disc Mech: N

Block 5: Discount Funding Request(s)

FRN: 1435709

FCDL Date:

10. Original FRN:

11. Category of Service: Telecommunications
Service

12. 470 Application Number: 711750000567952



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2006: 07/01/2006 - 06/30/2007)

May 16, 2006

ROBERT BECK
EXPLORE KNOWLEDGE ACADEMY
133 N STATE STREET
NEWTOWN, PA 18940

Re: Form 471 Application Number: 521433
Billed Entity Number (BEN): 16034677
Billed Entity FCC RN:
Applicant's Form Identifier: 9EXPLORE KNOWLEDGE ACA RB

Thank you for your Funding Year 2006 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$4,704.00 is "Approved."

Please refer to the Report on the page following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file Form 486 (Receipt of Service Confirmation Form). A guide that provides a definition for each line of the Report precedes the Report.

A list of Important Reminders and Deadlines is included with this letter to assist you throughout the application process.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,
 - Applicant BEN and Service Provider Identification Number (SPIN),
 - Form 471 Application Number 521433 as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2006," AND
 - The exact text or the decision that you are appealing.

FUNDING COMMITMENT REPORT
Billed Entity Name: EXPLORE KNOWLEDGE ACADEMY
BEN: 16034677
Funding Year: 2006

Form 471 Application Number: 521433
Funding Request Number: 1435709
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 711750000567952
SPIN: 143006742
Service Provider Name: Sprint Spectrum, L.P.
Contract Number: MTM
Billing Account Number: 0132173866-9
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$5,460.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$5,460.00
Discount Percentage Approved by the USAC: 20%
Funding Commitment Decision: \$1,092.00 - ERN approved; modified by SLD
Funding Commitment Decision Explanation: The shared discount was reduced to a level that could be validated by third party data.

FCDL Date: 05/16/2006

Wave Number: 004

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

Funding Request Number: 1435722
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 711750000567952
SPIN: 143025240
Service Provider Name: Cingular Wireless
Contract Number: MTM
Billing Account Number: N/A
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$780.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$780.00
Discount Percentage Approved by the USAC: 20%
Funding Commitment Decision: \$156.00 - ERN approved; modified by SLD
Funding Commitment Decision Explanation: The shared discount was reduced to a level that could be validated by third party data.

FCDL Date: 05/16/2006

Wave Number: 004

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

FUNDING COMMITMENT REPORT
Billed Entity Name: EXPLORE KNOWLEDGE ACADEMY
BEN: 16034677
Funding Year: 2006

Form 471 Application Number: 521433
Funding Request Number: 1435735
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 711750000567952
SPIN: 143019614
Service Provider Name: Sprint - Local Telephone Division
Contract Number: MTM
Billing Account Number: 702-730-2933-680
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$12,600.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$12,600.00
Discount Percentage Approved by the USAC: 20%
Funding Commitment Decision: \$2,520.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The shared discount was reduced to a level that could be validated by third party data.

FCDL Date: 05/16/2006

Wave Number: 004

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

Funding Request Number: 1435754
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 711750000567952
SPIN: 143019008
Service Provider Name: Cox Communications Las Vegas, Inc.
Contract Number: MTM
Billing Account Number: 001-8610-083464902
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$3,660.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$3,660.00
Discount Percentage Approved by the USAC: 20%
Funding Commitment Decision: \$732.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The shared discount was reduced to a level that could be validated by third party data.

FCDL Date: 05/16/2006

Wave Number: 004

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

FUNDING COMMITMENT REPORT
Billed Entity Name: EXPLORE KNOWLEDGE ACADEMY
BEN: 16034677
Funding Year: 2006

Form 471 Application Number: 521433
Funding Request Number: 1435771
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 711750000567952
SPIN: 143019008
Service Provider Name: Cox Communications Las Vegas, Inc.
Contract Number: MTM
Billing Account Number: N/A
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,020.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,020.00
Discount Percentage Approved by the USAC: 20%
Funding Commitment Decision: \$204.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The shared discount was reduced to a level that could be validated by third party data.

FCDL Date: 05/16/2006

Wave Number: 004

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007



80 South Jefferson Road
Whippany, New Jersey 07981
Fax: 973-599-6579

Universal Service Administrative Company
Schools & Libraries

FAX TRANSMISSION COVER SHEET

To: Robert Beck
Fax: 12155045047
Subject: E-rate application 521433
From: PIATeam8
Date: April 28, 2006
Time: 11:56:26 AM

YOU SHOULD RECEIVE 10 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT
RECEIVE ALL THE PAGES, PLEASE CALL THE CONTACT SPECIFIED BELOW.

Universal Service Administrative Company

Schools & Libraries Division

Apr 28, 2006

Privilege and Confidentiality Notice

The information in this telecopy is intended for the named recipients only. It may contain information that is privileged, confidential or otherwise protected from disclosure. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this telecopied material is strictly prohibited. If you have received the telecopy in error, please notify us by telephone immediately and mail the original to us at the above address. Thank you.

ROBERT BECK

EXPLORE KNOWLEDGE ACADEMY

Telephone:

(267) 3520137

Application Number

521433

The Program Integrity Assurance (PIA) team is in the process of reviewing all Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the Universal Service program. We are currently in the process of reviewing your Funding Year 2006 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below.

1. Based upon review of your FY2006 Form 471 application and/or the documentation you provided, we were not able to determine the eligibility of EKA DISTRICT OFFICE. In order to be eligible to receive discounted services, per the rules of this program, the entity providing classroom instruction must be considered part of an elementary or a secondary school found in the No Child Left Behind Act of 2001 (20 U.S.C. Section 7801 (18) and (38)) which is not operating as a for-profit businesses, and does not have an endowment exceeding \$50 million. Please provide documentation that will verify that the entity meets the definition provided above.

If this entity is a non-instructional facility, it can be eligible for services under certain circumstances. Please provide a written Yes or No response to the following question:

- 1.) Is the building a stand alone building? (Yes/No)
- 2.) Is this building considered a school or library by the state? (Yes/No)

3.) If you answered No, to # 2, is the facility on an eligible entity's campus? (Yes/No)

4.) If you answered No, to # 2, does the facility serve only one school or library? (Yes/No)

If the answers to # 3 or # 4 are No, the facility is a non-instructional facility. Please provide Yes/No responses to the following:

a.) Is the non-instructional facility owned by the school, school district or library and used solely for school, school district or library business? (Yes/No)

b.) Do only school, school district or library employees use the non-instructional facility? (Yes/No)

c.) If the FRN is a request for Priority 2 services, are the Internal Connections and/or Basic Maintenance of Internal Connections in the non-instructional facility essential for the effective transport of data and information to an instructional building of a school or to a non-administrative building of a library? (Yes/No)

(Note: Your response should be based on the amount of funds you are requesting, which may be after cost-allocation has taken place. For example, a school could identify the school portion of a combined church/school phone bill and identify that portion that is "used for school business by school employees.")

For further information about funding requests to non-instructional facilities, consult the "Educational Purposes" document at

<http://www.universalservice.org/sl/applicants/step06/educational-purposes.aspx>

2. USAC has not yet received the Item 21 Attachments for your FY2006 Form 471 application # 521433. In order to process the Form 471, we must receive the Item 21 Attachments. If you are unsure what constitutes an Item 21 Attachment, please refer to the Form 471 Instructions available at: Step 7: Submit Application for Support

<http://www.universalservice.org/sl/applicants/step07/> for support/

If you have not yet submitted the Item 21 Attachments, please do so using our online system available at www.sl.universalservice.org/menu.asp and then notify us when this is done, or forward the Item 21 Attachments to our attention at the fax number indicated below.

If you have already submitted the Item 21 Attachments, please fax an EXACT COPY of the Item 21 Attachments that were previously submitted. If you do not wish to resubmit the Item 21 Attachment, you are not required to do so. We will process your application once the Item 21 Attachments are available in our online system or have been imaged into our system.

3. For the Billed Entity 16034677 (EXPLORE KNOWLEDGE ACADEMY), we do not have the associated FCC Registration Number ("FCC RN"). The FCC, in its Fifth Report and Order, requires entities that currently participate in the Schools and Libraries Program to have a (10-digit number) FCC RN.

If you already have an FCC RN for your Billed Entity, please provide that FCC RN.

If you do not yet have an FCC RN, you can obtain one by applying to the FCC, at www.fcc.gov. Click on link for CORES (Commission Registration System), or go directly at the FCC CORES registration site at <https://svartifoss2.fcc.gov/cores/CoresHome.html>.

You will need your Taxpayer Identification Number (TIN) to obtain an FCC Registration Number. For some employers, including state and local government agencies and non-profit organizations, the TIN is the IRS-issued Employer Identification Number (EIN).

After obtaining the FCC RN, please provide us the (10-digit number) FCC RN.

Additional guidance on this topic and filing tips are located on our website, under "FCC Registration Numbers" <http://www.universalservice.org/sl/tools/news-archive/2004/102004.asp#102904>

4. Based upon review of your Form 471 application, we were not able to validate your requested discount percentage of 50% for EKA ELEMENTARY SCHOOL and EKA SECONDARY SCHOOL. If you choose to validate your original requested discount percentage of 50%, then please provide the appropriate documentation if one of the following acceptable methods you used to calculate your discount:

a.) If the school participates in a National School Lunch Program (NSLP), please provide a signed copy (preferably by the Principal, Vice-Principal, Superintendent or chief school official, or Director of Food Services) of a Reimbursement Claim Form that the school sends to the state each month. Make sure that the following 3 items are identified:

- 1.) The Entity name
- 2.) The total number of students enrolled at the entity
- 3.) The total number of students eligible for Free/Reduced Lunch Program for the entity

If the school district fills out an aggregate claim form for the school district, also provide a signed letter from a school official (preferably the Superintendent or chief school official) that lists the enrollment and Free/Reduced information for each school in the district. The enrollment and Free/Reduced information provided in your letter should match the claim form.

b.) If the discount percentage was determined by information obtained from a survey/application (National School (Free & Reduced) Lunch Application forms cannot be used as survey instruments), please provide the following information in writing on school letterhead signed by a school official (such as the Principal, Vice Principal, Superintendent or Director of Food Services):

- 1.) Total number of students enrolled
- 2.) Total number of surveys/applications sent out

- 3.) Number of surveys/applications returned
- 4.) Total number of students qualified for NSLP per the returned surveys/applications
- 5.) Are the surveys/applications and results kept on file.
- 6.) Provide a sample copy of a FILLED OUT SURVEY/APPLICATION with the child's personal information crossed out for confidentiality.
- 7.) A signed certification that reads: "I certify that only those students who meet the Income Eligibility Guidelines of the National School Lunch Program have been included in Column 5 of Item 9a, of Block 4 of the Form 471."

c.) If the discount was determined using a different method than what was identified above, please indicate the method that was used and provide all relevant data.

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested so we can complete our review.
Failure to do so may result in a reduction or denial of funding.

Should you wish to cancel this Form 471 application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the application number and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Please send the required information within seven calendar days. If you need additional time to prepare your response, please let me know as soon as possible.

Thank you for your cooperation and continued support of the Universal Service program.

Sal Cooper

Program Integrity Assurance

E-rate Program

Phone: 973-581-5373

Fax: 973-599-6579

Scooper@sl.universalservice.org



May 2, 2006

To Whomever:

Per your request, we used the following information to determine the free/reduced lunch eligibility for the Explore Knowledge Academy Charter School for the 2005-2006 school year. Note that these surveys were given to each incoming student / family as a part of the formal enrollment process.

Item	EK Elementary	EK Secondary
Total number of students enrolled	242	271
Total number of surveys distributed	242	271
Total number of surveys returned	242	271
Total number of students qualifying for free and reduced lunch per USDA guidelines	76	80

These surveys will be kept on file for inspection for five (5) years.

"I certify that only those students who meet the Income Eligibility Guidelines of the National School Lunch Program have been included in Column 5 of Item 9a, Block 4 of the Form 471."

Sincerely,

A handwritten signature in cursive script that reads "Joan P. Sando".

Joan Sando, Executive Director

**INCOME SURVEY**

Explore Knowledge Academy Charter School is a publicly funded school. Grant money we receive may depend on financial information we get from families enrolled in Explore Knowledge Academy. Please take a moment to fill out the following form. We appreciate your assistance.

Student Name(s)	
First Name	Last Name

Parent Name(s)	
First Name	Last Name

Total Number of Household Members (include yourself & the children listed above):

Residential Address		Mailing Address	
Address		Address	
City		City	
State		State	
Zip	89014	Zip	

Home Phone: _____

Primary E-Mail: _____

Alternate Phone: _____

Other E-Mail: _____

Please check the box that reflects the total monthly income of all household members combined. (Income includes gross earnings before deductions, welfare payments, child support, alimony as well as payments from pensions, retirement, and social security.)

☒ \$0 to \$1288

☐ \$2183 to \$2829

☐ \$3524 to \$3970

☐ \$1289 to \$1735

☐ \$2830 to \$3078

☐ \$3971 to \$4417

☐ \$1736 to \$2182

☐ \$3077 to \$3523

☐ \$4418 +

Nevada Food Stamp Number

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TANF #

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I certify that all of the information I have provided on this form is true and correct.

Adult Household Member Signature

Social Security No.



7006 0100 0006 9329 8991

Route

Tina

Delivery Point

TW-B204

11/27/06
11:06:53

OMD

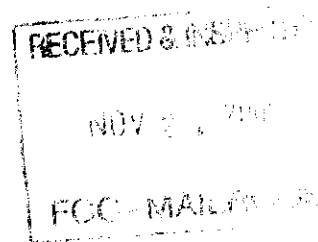
PO#

Sdr EDUCATION CONSORTIUM

70060100000693298991



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